

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Luciano Manganella,

Petitioner,

v.

Lerner New York, Inc.,

Respondent.

Case No.: 07 CV 6250 (RJH)

ECF Case

**RESERVATION OF RIGHTS AND NON-OPPOSITION TO LUCIANO
MANGANELLA'S MOTION FOR CONFIRMATION OF ARBITRATION AWARD**

Respondent Lerner New York, Inc. ("Lerner") submits this reservation of rights and non-opposition to Luciano Manganella's motion to confirm the arbitration award rendered by a commercial arbitration tribunal of the American Arbitration Association on June 13, 2007 (the "Arbitration Award"). Lerner does not object to the entry of a judgment confirming the Arbitration Award as set forth in Petitioner's motion and in accordance with the parties' arbitration agreement. At the same time, Lerner does not admit, agree or waive, and instead expressly reserves, any and all rights, including with respect to any additional filings, allegations or arguments that are advanced by Petitioner.

Date: July 20, 2007

/s/ Matthew Solum

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